



U.S. Department of Justice

*United States Attorney
Western District of New York*

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PRESS RELEASE

June 18, 2003

**RE: UNITED STATES OF AMERICA v. CHRISTOPHER CHARLES CHEVERIE
INDICTMENT NO. 03-CR-121-A**

United States Attorney Michael A. Battle announced today that a Federal Grand Jury had returned a 3-count Indictment Charging Christopher Charles Cheverie, age 22, of 218 Grand Street, Lockport, New York, with two counts of unlawfully and knowingly making a false statement in connection with the acquisition of a firearm, in violation of Title 18, United States Code, Section 922(a)(6) and one count of unlawfully and knowingly selling and otherwise disposing of a firearm to an individual who is prohibited by federal law from possessing firearms, in violation of Title 18, United States Code, Section 922(d)(8). All three charges are each punishable by a maximum period of incarceration of 10 years or a fine of \$250,000, or both. (It should be noted that the fact that a defendant has been charged with a crime ... is merely an accusation and the defendant is presumed innocent until and unless proven guilty. (Disciplinary Rule 7-107(B)(6)).

Assistant United States Attorney Richard P. Maigret stated that the first two counts of the present Indictment charge the defendant with falsely representing, in connection with the acquisition of a firearm and during the purchase of a firearm, that he was the actual buyer of the firearm, whereas in fact, as the defendant knew, the actual buyer of the firearm was another individual, one Jason S. Kanalley. The firearm in question is a Romarm/Cugir, 7.62 x 39 mm caliber, semi-automatic rifle, imported by Century Arms, Inc., bearing serial number S1-35657-2001. The Indictment specifies that on the day that the defendant purchased the firearm in question and, again, on the day when he took delivery of the firearm in question, Mr. Cheverie stated that he was the actual buyer of the firearm, when in fact the actual purchaser of the firearm was Jason S. Kanalley.

Assistant United States Attorney Maigret stated that Count 3 of the Indictment alleges that at the time of the purchase and delivery of the firearm to the defendant, the actual buyer of the firearm, Jason S. Kanalley, was prohibited by federal law from receiving, purchasing and possessing firearms. This prohibition stemmed from the fact that at the time, Jason S. Kanalley was the subject of several court orders of protection that restrained him from, among other things, the use or attempted use of physical force against an intimate partner or child. The third Count of the Indictment alleges that Mr. Cheverie was aware that Mr. Kanalley, because of these court orders, was prohibited from possessing or purchasing firearms. The third Count of the Indictment charges that Mr. Cheverie, after allegedly illegally purchasing the firearm on behalf of Mr. Kanalley, sold, delivered or otherwise disposed of the firearm to Mr. Kanalley.

On the evening of February 8th through the early morning hours of February 9th, 2003, Jason S. Kanalley was involved in a series of shootings — first, in the City of Lockport, New York, and then in the Town of Lockport, New York. Mr. Kanalley initially shot an individual outside of a bar in the City of Lockport, New York, and then fired several shots into that establishment. Later on, in the early morning hours of February 9th, 2003, when Lockport Police Officers and Niagara County Deputy Sheriffs had located Mr. Kanalley in a trailer park in the Town of Lockport, New York, Mr. Kanalley began firing upon the police officers with the same firearm used in the previous shooting. Mr. Kanalley seriously wounded two Lockport Police Officers during this firefight, before he, himself, was wounded. Mr. Kanalley subsequently committed suicide by shooting himself with his own firearm before he could be arrested by the Police Officers and Deputy Sheriffs. The firearm used by Mr. Kanalley in these shootings is the same semiautomatic rifle that was allegedly illegally purchased and delivered to Mr. Kanalley by the defendant, Christopher Charles Cheverie, and that is the subject of this Indictment.

The investigation involving the alleged illegal purchase and sale or disposition of this firearm was conducted by Special Agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives from the Buffalo Field Office, assisted by members of the Niagara County Sheriff's Department. Prosecution of this case will be handled by Assistant United States Attorney Maigret.

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